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J1131 U.S. PTO

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25875.00120  
Express Mail Label No. EL 845469674 US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification  
of this Application:

☒ Class 219 ☒ Subclass 212  
Prior Application Examiner: R.Carter  
Art Unit: 3736

DIVISIONAL APPLICATION TRANSMITTAL

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

JCE57 U.S. PTO  
10/058453  
01/28/02

Dear Sir:

This is a request for filing a ☐ continuation ☒ divisional application pursuant to 37 C.F.R. § 1.53(b), of pending prior application:

Serial No. 09/385,466 filed September 14, 1999, by Leland C. CLARK, Jr. (inventor(s) currently of record in prior application) for IMPLANTABLE GLUCOSE SENSOR.

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed, or a replacement specification which does not add new matter.
2. ☒ The filing fee is calculated below:

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	7	-20	0	LG=\$18 SM=\$9	\$9	0	
B	INDEPENDENT CLAIMS FEE*	2	-3	0	LG=\$84 SM=\$42	\$42	0	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 0
D	MULTIPLE-DEPENDENT CLAIMS FEE				LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$140		\$ 0	
E	BASIC FEE				LARGE ENTITY FEE = \$740 SMALL ENTITY FEE = \$370		\$ 370	
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$ 370
	*LIST INDEPENDENT CLAIMS 20, 25							

3. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1796, referencing docket number 25875.00120. A copy of this sheet is enclosed.
4. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
5. ☒ Cancel in this application original claim(s) 1-19 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Leland C. CLARK, Jr.

Serial No: (Not Assigned: Parent  
09/395,466)

Filed: January 28, 2002

For: IMPLANTABLE GLUCOSE SENSOR

Art Unit: (Not Assigned)

Examiner: (Not Assigned)

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EL 845469674 US

Date of Deposit: January 28, 2002

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that

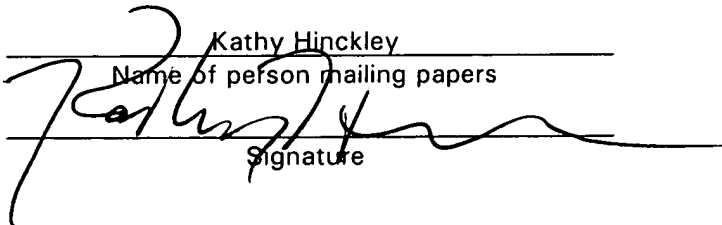
- ☒ two copies of Divisional Application Transmittal
- ☐ check in amount of \$ \_\_\_ as filing fee
- ☒ patent application ( 32 page(s) of specification; 7 claim(s); 1 page(s) of abstract
- ☒ 10 sheet(s) of formal drawings
- ☒ Copy of executed Declaration and Power of Attorney filed in parent
- ☒ Assertion of Small Entity Status
- ☐ Request for Non Publication
- ☐ Preliminary Amendment
- ☒ Information Disclosure Statement listing 2 references
- ☐ return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231.

Date: January 28, 2002

CROSBY, HEAFEY, ROACH & MAY  
1901 Avenue of the Stars, Suite 700  
Los Angeles, CA 90067  
Phone: (310) 734-5200  
Fax: (310) 734-5299

Kathy Hinckley  
Name of person mailing papers  
  
Signature

6. ☒ Amend the specification by inserting before the first line the sentence:

This is a ☐ continuation ☒ divisional of application Serial No. 09/395,466 filed September 14, 1999, which application is hereby incorporated by reference in its entirety.

- 7a. ☒ New formal drawings are enclosed.

- 7b. ☐ Priority of application Serial No(s).:

       application Serial No.        filed        and  
       application Serial No.        filed        is claimed under 35 U.S.C. § 119.

- 7c. ☐ The certified copy of the priority application was filed in prior application Serial No.       , filed       .

8. ☒ The prior application is assigned of record to: Implanted Biosystems, Inc..

9. ☒ The power of attorney in the prior application is as listed on the attached copy of the declaration filed in the parent application.

- a. ☐ The power appears in the original papers in the prior application.  
b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
c. ☒ Address all future communications to:

Stefan J. Kirchanski  
CROSBY, HEAFEY, ROACH & MAY  
1901 Avenue of the Stars, Suite 700  
Los Angeles, CA 90067  
Phone: (310) 734-5200  
Fax: (310) 734-5299

CORRESPONDENCE ADDRESS:

☒ Customer Number

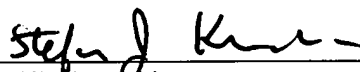
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- d. ☐ A new Associate Power of Attorney is enclosed.
10. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
11. ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Applicant no longer claims small entity status.

12. ☐ Request And Certification Under 35 U.S.C. 122(b)(2)(B)(i) for non-publication is enclosed.
13. ☒ An Information Disclosure Statement listing 2 references is enclosed.

Date: January 28, 2002

  
Stefan J. Kirchaneki  
Of Counsel  
Registration No. 36,568

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